VOLUME XLVII--NUMBER 117.

WHEELING, W. VA., FRIDAY, JANUARY 6, 1899.

PRICE TWO CENTS. STREET STREET

# WILL BE RATIFIED

## SIXTY-TWO SENATORS FOR IT

have been without justification. Not less than sixte-two senators will vote affirmative strength will be even great-

The opposition is endeavoring to eforganization with but small show of success. An amendment is to be offered, stipulating that the United States will not retain the Philippines.

This pledge is not retain the Panippines. This pledge is not made to the Filipinos, but to Spain. It is meeting with but small support from anybody. The projectors of the proposition are met with the argument that there is no reason for such a stipulation, that Spain has no rights in the premises, and has no business to inquire what we propose to do with the islands, and that if Congress shall find it meessary to

If Congress shall find it necessary to make any pledge in the matter it should be made to the people of the United States or to the inhabitants of the Phillippines. Such a pledge, if made, will be by resolution after the ratification of the treaty.

The conservative ground in the matter is taken by Senator Faulkner, whose views were quoted in the Intelligencer a few days ago. Senators may have doubts of the wisdom of expansion, but they will not humiliate the United States before the world by declaring that this government did not know what It was doing when it sent commissioners to Parls to treat with Spain.

Spain.

There are senators, however, among them Messrs. Hoar and Hale, and several on the Democratic ede, who will vote to do that very thing, but they are not numerous. The treaty is gaining strength, and the President of the whole people will be sustained by a large majority.

### THE TREATY.

The Full Text of the Document a Spanish Commissioners.

WASHINGTON, D. C., Jan. 5.—The collowing, is the President's message and the letter of the secretary of state, iransmitting to the senate the treaty of peace concluded at Paris between the United States and Spain, together with the official text of the treaty, being an the United States by the American com-

"To the Senate of the United States: "I transmit herewith, with a view of its ratification, a treaty between the United States and Spain, signed at the city of Paris on December 10, 1888, to-gether with the protocols and papers in-dicated in the list accompanying the re-

"Executive Mansion, January 4, 1899." "To the President:

"The undersigned, secretary of state has the honor to lay before the Presi-dent, with a view to its submission to the senate, if deemed proper, a treaty of peace concluded at Paris on Decem-ber 10, 1898, between the United States

and Spain.

"Accompanying the treaty are the protocols of the conferences of the page commission at Paris, together with copies of statements made before the United States commissioners and other papers indicated in the enclosed list, Respectfully submitted.

"Department of State, Washington, January 3, 1899."

The United States of America and her The United States of America and her majesty, the queen regent of Spain, in the name of her august son Don Alfonso XIII, desiring to end the state of war now existing between the two countries, have for that purpose appointed as plenipotentiaries: The President of the United States, William R. Day, Cushman K. Davis, William R. Day, Cushman K. Davis, William R. Frye, George Gray and Whitelaw Reid, eltizens of the United States, and her majesty, queen regent of Spain, Don Eugenio Monttero Rios, president of the senate; Don Bonuventura de Abuzeratua, senate of the kingdom, and exminister of the crown; Don Jose de Garnica, deputy to the cortes and associated Justice of the supreme court; Don Weneslao Ramirez de Villa-Urrutia, envoy extraordinary and minister of the crown; and minister of the crown; and court the contract of the court of the c Don Wenceslao Ramirez de Villa-Ur-rutla, envoy extraordinary and minis-ter plenipotentiary at Brussels, and Don Rafael Cerero, general of division, who, having assembled in Parks, and having exchanged their full powers, which were found to be in due and proper form, have, after discussion of the matters between them, agreed upon the following articles: Article 1-Spain relinquishes all claim of sovereignty over and title to Cuba. And as the ideas.

WILL BE RATIFIED.

All Doubt as to Fate of Paris
Treaty is Dispelled.

SIXTY-TWO SENATORS FOR IT

And there is a Prospect that the Affirmative Strength will be Even Greater than that—Some of the Ridienlous Propositions of the Opposition—It is not Probable that any Amendments will be Made to the Document—A Piedge not to Retain the Philippines may be Made by Resolution After Batification—Full Text of the Treaty.

Special Dispatch to the Intelligencer.
WASHINGTON, D. C., Jan. 5.—It likers was ever any reason to doubt the senate, that reason is now shown to have been without justification. Not

States. Article V—The United States will, upon the signature, of the present treaty, send back to Spain, at its own cost, the Spanish soldiers taken as prisoners of war on the capture of Manilla by the American forces. The arms of the soldiers in question shall be restored to them.

nilla by the American forces. The arms of the soldiers in question shall be restored to them.

Spain will, upon the exchange of the ratifications of the present treaty, proceed to evacuate the Philippines, as well as the island of Guam, on terms similar to those agreed upon by the commissioners appointed to arrange for the evacuation of Porto Rico and other islands in the West Indies under the protocol of August 12, 1898, which is to continue in force till its provisions are completely executed.

Time for Evacuation.

Time for Evacuation.

The time within which the evacuation of the Philippine Islands and Guam shall be completed shall be fixed by the two governments. Stands of colors, uncaptured war vessels, small arms guns of all calibres, with their carriages and accessories, powder, ammunition, live stock and materials and supplies of all kinds belonging to the land and naval forces of Spain in the Philippines, Guam, remain the property Spain. Pieces of heavy ordnance, ex-clusive of field artillery, shall remain in their emplacements for the term of six months to be reckoned from the exchange of ratification of the treaty and the United States may in the mean-time purchase such material from

and the United States may in the meantime purchase such material from
Spain If a satisfactory agreement between the two governments on the
subject shall be reached.

Article VI.—Spain will, upon the signature of the present treaty, release all
prisoners of war and all persons detailined or imprisoned for political offenses in connection with the insurrections in Cuba and the Philippines and
the war with the United States.

Reciprocally, the United States will
release all persons made prisoners of
war by the American forces, and will
undertake to obtain the release of all
Spanish prisoners in the hands of the
insurgents in Cuba and the Philippines.

insurgents in Cuba and the Philippines.

The government of the United States will, at its own cost, return to Spain and the government of Spain will, at its own cost, return to spain and the government of Spain will, at its own cost, return to the United States, Cuba, Porto Rico and the Philippines, according to the situation of their respective homes, prisoners released or caused to be released by them, respectively, under this article.

Article VII.—The United States and Spain mutually relinquish all claims for indemnity, mutonal and individual of every kind, of either government, or of its clitzens, or subjects, against the other government that may have arisen since the beginning of the late insurrection in Cuba and prior to the exchange of ratifications of the present treaty, including all claims for indemnity for the cost of war.

The United States will adjudicate and settle the claims of its clitzens against Spain relinquished in this article.

Property Rights.

Article VIII.—In conformity with the

Property Rights

Article VIII,—in conformity with the provisions of Articles I, II and III, of this treaty, Spain relinquishes in Cuba and cedes in Porto Rico and other islands in the West Indies, in the island of Guam and in the Philippine archipelor Giam and in the Philippine archipelago, all the buildings, wharves, barracks, forts, structures, public highways and other immovable property, which, in conformity with law, belong to the public domain, and as such belong to the crown of Spain.

And it is hereby declared that the relinquishment or cession, as the case may be, to which the preceding paragraph refers, cannot in any respect imparations.

graph refers, cannot in any respect impair the property or rights which by law belong to the peaceful possession or property of all kinds, of provinces, municipalities, public or private establishments, ecclesiastical or civic boiles, or any other associations having legal capacity to acquire and possess property in the aforesaid territories renounced or ceded or of private individuals of whatsover matematiks when the

or any other associations having legal capacity to acquire and possess property in the aforesaid territories renounced or ceded or of private individuals of whatsover nationality such individuals may be.

The aforesaid relinquishment or cessoin, as the case may be, includes all documents exclusively referring to the sovereignty relinquished or ceded that may exist in the archives of the Peninsula. Where any document in such archives only in part relates to said soverignty, a copy of such part will be furnished whenever it snall be requested. Like rules shall be reciprocally observed in favor of Spain in respect of documents in the archives of the islands above referred to.

In the aforesaid relinquishment or cession, as the case may be, are included such rights as the crown of Spain and its authorities possess in respect of the official archives and records, examples as well as indicial, in the is-

Civil, Religious, Political Liberty. The civil rights and political tatus of the native inhabitants of the territories hereby ceded to the United States shall be determined by the Congress.

Article X.—The inhabitants of the territories over which Spain relinquishes or cedes her sovereignty shall be secured in the free exercise of their religion.

be secured in the free exercise of their religion.

Article NI—The Spaniards residing in the territories over which Spain by this treaty cedes or relinquishes her sover-eignty shall be subject in matters civil as well as criminal to the jurisdiction

eighty shall be subject in matters civil as well as criminal to the jurisdiction of the courts of the country wherein they reside, pursuant to the ordinary was governing the same; and they shall have the right to appear before such courts and to pursue the same course as citizens of the country to which the courts belong.

Article XII—Judicial proceedings pending at the time of the exchange of ratifications of this treaty in the territories over which Spain relinquishes or cedes her sovereignty shall be determined according to the following rules;

1. Judgments rendered either in civil suits between private individuals or incriminal matters before the date mentioned, and with respect to which there is no recourse or right of review under the Spanish law shall be deemed to be final and shall be executed in due form by competent authority in the territory within which such judgments should be by competent authority in the territory within which such judgments should be

carried out.

2. Civil suits between private indi-viduals which may on the date men-tioned be undetermined shall be prose-cuted to judgment before the court in which they may then be pending, or in the court that may be substituted there-for.

the court that has be substituted for.

3. Criminal actions pending on the date mentioned before the supreme court of Spain against citizens of the territory which by this treaty ceases to be Spanish shall continue under its jurisdiction until final judgment; but such that the substitute is the suprementation of the suprementati judgment having been rendered, execu tion thereof shall be committed to the competent authority of the place ir which the case arose.

Privileges Accorded.

Article XIII—The rights of property secured by copyrights and patents ac-quired by Spaniards in the island de Cuba and in Porto Rico, the Philippines and other ceded territories at the time of exchange of the ratifications of this treaty shall continue to be respected. Spanish scientific, literary, and artistic works, not subversive of public order in the territories in question, shall continue to be admitted free of duty into such territories for the period of ten years, to be reckoned from the date of exchange of the ratifications of this treaty. and other ceded territories at the

exchange of the ratinearious of the treaty.

Article XIV—Spain will have the power to establish consular offices in the ports and places of the territories the sovereignty over which has been either relinquished or ceded by the

the sovereignty over which has been either relinquished or ceded by the present treaty.

Article XV—The government of each country will for the time of ten years accord to the merchant vessels of the other country the same treatment in respect of all port changes including entrance and clearance dues, light dues and tonnage duties as it accords to its own-merchant vessels not engaged in the coastwise trade.

This article may at any time be terminated on six months' notice given by either government to the other.

Article XVI—It is understood that any obligations assumed in this treaty by the United States with respect to Cuba are limited to the time of its occapancy thereof, but it will upon the termination of such occupancy advise any government established in the Island to assume the same obligations.

Article XVII—The present treaty shall be ratified by the President of the United States by and with the advice and consent of the senate thereof, and by her majesty, the Queen Regent of Spain; and the ratifications shall be exchanged at Washington within six months from the date hereof, or earlier if possible.

In faith whereof, we, the respective plenipotentiaries, have / signed this

if possible.

In faith whereof, we, the respective plenipotentiaries, have / signed this treaty and have hereunto affixed our

Done in duplicate at Paris, the 19th day of December, in the year of our Lord, one thousand eight hundred and ninety-eight.

WILLIAM R. DAY WILLIAM R. DAY.
CUSHMAN K. DAYIS.
WILLIAM P. FRYE.
GEORGE R. GRAY.
WHITELAW REID.
EUGENIO MONTERO RIOS.
B. DE ABARZUZA.
J. DE GARNICA.
W. R. DE VILLA URRUTIA,
RAFAEL CERERO.

CONGRESSIONAL AFFAIRS.

# Very LittleWork Done in Either Sen-

WASHINGTON, Jan. 5.-Little bust WASHINGTON, Jan. 9.—Lattle business, except that of a routine character, was transacted by the senate today. A resolution, effered by Mr. Hoar, of Massachusetts, directing the committee on foreign relations to report to the senate whether the treaty of Paris of Massachusetts, directing the committee on foreign relations to report to the senate whether the treaty of Parls makes any provision for the claims of citizens of the United States against Spain, which were in existence before the present war and the status of such claims after the ratification of the treaty, was adopted.

Mr. Caffery, of Louislama, continued and practically concluded his speech begun before the holiday recess in opposition to the pending Nicaragua cannibil.

The house devoted to-day to the consideration of bills presented by the committee on judiciary.

The bills were first considered in committee of the whole. The first bill called up was that to create an additional circuit. It is this judgeship with which rumor has connected the name of exsecretary of State William R. Day. It was laid aside with a favorable recommendation.

The house then proceeded with the

ed such rights as the crown of Spain and its enthers between them, agreed upon the following articles:

Article I—Spain relinquishes all claim for sovereignty over and title to Cuba. And as the island is, upon its evacuation by Spain, to be occupied by the United States, the United States will, less as such occupation, for the protection of II of the contraction is social to the contraction of the state of the contraction of the state of the contraction is social to the contraction of the protection of II of of the pro

# to have renounced it and to have adopted the nationality of the territory in which they may reside.

If it is True that Aguinaldo has

# TO TAKE CHARGE OF FORCES

On the Island of Panay-Information Comes from an Official Dispatch to the Filipiuo Junta at Paris-New Insurgent Cabinet-It will not Con sent to Liberation of Spanish Prisoners Except Through Negotiations with Spain-Friars to be Released only on Certain Conditions to be Agreed to by the Pope.

PARIS, Jan. 5 .- An official telegram dated Manila, January 4, says that Aguinaldo has gone to Hollo at the request of the insurgents there, to place himself at their head, with the view of their possible fighting with the Americans. The dispatch also gives a list of the members of the new Filipino cab-The following have definitely accepted

President of the cabinet and minister of foreign affairs-Mabini.

Minister of the interior-Teodoro Sandico, a civil engineer, educated in England and Belgium, and taken to Manila from Hong Kong by Rear Ad-

Manila from Hong Kong by Rear Admiral Dewey.

Minister of war—General Baldomero Aguinaldo, a cousin of Aguinaldo, the president of the so-called Filipino government, and a leader of the insurrection from the beginning. He is described as a large land owner of Cavite.

Minister of finance—General Triss, a close ally of Aguinaldo.

Minister of public works—Gregorico Gonzaga, a lawyer, until recently the Filipino agent at Hong Kong, and formerly Spanish attorney general in the Visayas.

merly Spanish attorney general in the Visayas.

The cabinet is described as homogeneous, every member being piedged, according to these advices, to resist the American military occupation of the Philipipnes.

A member of the Filipino junta here explains that Aguinaldo did not run away, but "left Manila for the mountainous regions behind Cavite, in order to make secret arrangements for his voyage to Hollo.

The Filipino who furnished this information also categorically and specifically asserts that the latest telegraphic advices declare that if the Americans insist upon the occupation of the principal cities by the American troops, the whole of the Filipinos will "resist by force of arms."

Senor Tuason, who has been appointed Filipino agent at Paris and London, is expected to arrive here shortly.

The members of the new cabinet assert that the new cabinet will bring forward the most "energetic policy."

As to Spanish Prisoners.

Mabini, it appears, claims recognition of the independence of the Philippino

Mabini, it appears, claims recognition Islands, and will not consent to the

Islands, and will not consent to the release of the Spanish prisoners, but, Islands, the leaves of the Spanish prisoners with the Americans as allies' for the surrender of the Spanish military and civil officials and others, which will only be made on the following conditions:

1. The negotiations to be opened formally between Spain and the national Filipino government. Spain nominating a delegate to treat therewith.

2. An exchange of prisoners and Spain to repatriate, firstly, all the Filipinos held brisoners for having been directly or 1M freetly connected with the Insurrection; secondly, all prisoners of war condemned as traitors, revolters or de-

or Mirectly connected with the insurrection; secondly, all prisoners of war
condemned as traitors, revolters or deserters, or for having in any manner
seconded the Filipino inversement during the present century, this surrender
to be made before the Filipinos release
the Spanish prisoners, and Spain to
grant amnesty to all the Filipinos and
Spaniards necused of complicity in the
insurrection.

3. Spain to defray all the expenses of
repatriating the Filipino prisoners,
and also the cost of maintaining and
repatriating the Spanish prisoners held
by the Filipinos such payment being
considered a war indemnity; the national Filipino government consents to
pay the expense of repatriating those
Filipinos captured in formal action, although, it is added, "as a matter of
fact, the Filipinos are also entitled to
demand the payment thereof by Spain."
Friars taken prisoners, it is further
asserted, will not be included in the
exchange, "seeing that they acted as
papal agents during the war, but their
surrender would be made on the con-

exchange, "seeing that they acted as papal agents during the war, but their surrender would be made on the conditions, firstly, that the apostolic delegate will ask their liberty in the name of the pope; secondly, that all bulls and pontifical decrees granting special privileges to the religious orders be revoked; thirdly, that all rites of the secular clergy be respected; fourthly, that no friar hold any parish, cathedral, episcopal or docesan preferment; fifthly, that all such preferments be held by native or naturalized Fillpino clergymen, and sixthpreferments be need by native or naturalized Filipino clergymen, and sixth ly, that rules for the election of bishops be fixed.

#### A SERIOUS CRISIS At Hand Says the Filipino Junta at

Hong Hong. HONG KONG, Jan. 5.—Leading rep-

resentatives of the Filipino funta in Hong Kong, in the course of an inter view with the correspondent of the Associated Press to-day declared that serious crisis in the Philippines is due to what they designate as "overt, unto what they designate as "overt, until fair treatment of the Filipinos by the United States." They said that de-spite the known fact that the whole of the Visayas group was in possession of the Filipino forces, General Otis was ordered to take possession the Visiyas group was in possession of the Filiphno forces, General Otis was ordered to take possession of the estific archipelago, and dispatched troops and warships to the Southern Visayas. The Fili-phnos, according to the junta represen-tatives, are determined to prevent the landing of the Americans at Hollo and may as a last resort, destroy the city for strategical purposes. The junta insist that a rupture of the friendly relations now existing between "the Filipino national government," and the American executive is immigent

"the Filipino national government," and the American executive is imminent and that hostilities are probable unless what they characterize as the "unreas-onable, unfair and overbearing policy of the Americans," is modified. They say the Filipinos "would deeply regret such a rupture, but would accept it as inevi-table."

In concluding the interview they ask the American people to uphold the rights of manifind and to avoid bloodshed, assuring the Americans of our desire to complete a friendly settlement through an impartial commission of inquiry. The Filipinos loyally supported the Americans against the common enemy; and they now look to the American na-

tion to fulfill the promises made to Aguinaldo at Singapore before he pro-ceeded to assist Admiral Dewey. All the Filipinos ask is the truest and best rights of mankind.

#### General Rios' Negotiations.

MADRID, Jan. 5.-The following officlal dispatch has been received from

"The insurgents refuse to liberate the "The insurgents refuse to liberate the prisoners on the demand of the Americans, claiming that this might be construed as an act of submission to the United States. With regard to liberating the monks, the insurgents intend to negotiate with the vatican directly. General Rios has now opened direct negotiations with the insurgents concerning the prisoners."

#### Spanish Fictions.

MADRID, Jan. 5.-The newspapers here continue to charge the Americans in the Philippine Islands with all kinds of atrocities. As a sample of current fletions, the papers to-day accuse the Americans of delivering up a Spanish naval licutenant who is alleged to have surrendered to the United States forces, to the insurgents, who are said to have subjected him to all kinds of tortures. It is also alleged that 164 monks were imprisoned at Cagnyan, and that many of them died of hunger and suffering, that Spanish property has been given over to looters, that the owners have been plundered, and often assassinated, and that at Suquat a convent was pillaged and the nuns brutally outraged. here continue to charge the Americans

#### Quite a Handful.

VIENNA, Jan. 5.—The Neues Wiend Fageblatt publishes this morning statement received by Professor. Blumentritt, from a friend of Aguinaldo who says that the latter holds as pris who says that the latter holds as pris-oners 11,600 Spanish troops, including two generals, forty staff officers and 400 superior officers. He has also 1,500 civilians, including several provincial governors and numerous officials.

#### LAST DERVISH ROUTED.

Emir Fedil Compelled to Flee Before Assault of British Troops.

LONDON, Jan. 5.-Particulars re garding the recent battle on the Blue Nile have been received in a dispatch from Cairo to the Exchange Telegraph Company. Colonel Lewis, it appears, when he routed the Emir Fedil, the last remaining formidable Dervish chief, killed 500 of his followers and made many prisoners. The emir, however, succeeded in escaping.

An official dispatch from Colonel

succeeded in escaping.

An official dispatch from Colonel
Lewis says that with a Soudanese regiment and a detachment of irregular
troops he attacked Fedil while he was
crossing the Nile at the cataract south
of Roseirex (Roseres?). The colonel's
force stormed the island on which Fedil force stormed the island on which Fedil took up a position and some severe fighting followed. Eventually Fedil fied with 300 followers across the river, where his force was dispersed by the

Maxim guns.
On the British side, Major Ferguson six Egyptian officers and eighteen mer were wounded and twenty-seven mer were killed.

### In Favor of Manufacturers.

PITTSBURGH, Jan. 5.-A decision was handed down to-night by the three arbitrators in the dispute between the window glass manufacturers and L. A. 200, Glass Workers' Association, as to whether or not a verbal agreement ex-

granted to the cutters and flatteners ar advance in wages in relative proportion to that given the blowers and gatherers The decision says no such agreemer

The decision says no such agreemer existed.

Attorney O. D. Thompson, the manufacturers arbitrator, and Dr. W. J. Holland, the umpire, both of this city, unite in the decision, while W. F. Edwards, of Anderson, Ind., representing the workmen dissents in a long and elaborate minority report. As it was agreed, however, that the decision of the majority should be final, the matter should be considered closed. The finding of the committee seems to be a victory for the manufacturers, but while it says the workmen have no legal claim to the advance it is suggested to the manufacturers that they give to the workmen voluntarily one-half the advance which they claimed as their due.

Steel and Wise Combine.

## Steel and Wire Combine.

Trade Review says:

The American Steel and Wire Com rang has made important acquisitions in the past week, and promises soon to be well in control of the wire and wire nall production of the country. It may be said authoritatively that the big company has purchased the rod mill and wire nall plant of the Shenango Valley Steel Company, New Castle, Pa. The rod mill has a capacity of \$8,060 tons a year; the wire capacity is 75,000

Valley Steel Company, New Castle, Pa. The rod mill has a capacity of 80,000 tons; that of mails, 1,250,000 kegs. Another purchase that is praedically concluded is that of the Oliver Wire Company's rod mill, capacity 90,000 tons a year, and its wire and nail plants with capacity of 100,000 gross tons of drawn wire, 31,500 tons of barbed wire and fencing specialties, and 960,000 kegs of wire mails. The Washburn-Moen deal has not yet been concluded and is uncertain. There is a rumor that the general officers of the wire trust may be established in Cleveland in view of its proximity to the important plants. proximity to the important plants.

## Roosevelt on Women Suffrage.

ALBANY, N. Y., Jan. 5.—Albany is center of suffrage agitation. The fe a center of suffrage agitation. The female advocates and opponents of woman suffrage are wrought up over Gov. Roosevelt's message, in which he favors gradual extension of the suffrage to women. There was great perplexity among the ladies interested as to what the governor really meant. To an Associated Press representative Governor Roosevelt said to-night that what he meant in the message was a gadual extension of suffrage to women. How far to extend it he is not certain. He believes that the condition of a large number of women should be bettered. He thinks that an amelioration could be brought about by social influences and development of the mind. He is not sure that legislation can accomplish much, but if it can do a little he is willing to try it. Woman suffrage has worked well in the school district in which Oyster Bay is situated, and the governor thinks it might work well elsewhere.

# Passenger Train Wrecked.

PADUCAH, Ky., Jan. 5.—The north-bound passenger train on the Illinois Central railroad was wrecked this afternoon, about 1:30 o'clock, twenty-eight miles from Paducah and one mile from Grantsburg. Ill. There were three coaches attached to the train, and on account of the spreading of the rails they were overturned into a ditch, some twelve or afteen feet from the track. Rackwater from a creek was on the section to the depth of two feet. The coaches were almost demolished.

A large number of passengers were aboard, Those seriously injured are: John Bylatt, R. I. Hogan, Alton, Ill.; William Mehts, conductor; John Riddle Cereal Springs, Ill.; Nellie Varns, Clinton, Ill.; Nellie Wheeler, Great Bend, Indiana. Central railroad was wrecked this af-

# LEADERS CONFER

About the Several Contests in the Legislature.

# PROPOSITION OF DEMOCRATS

Was to have all the Contests, Including the War Senators, Submitted to the Supreme Court, and in Case of a tie in the Court Referred to the House Where they Belong-Why the Proposition was Refused by Chairman Dawson-The Republican State Chairman Makes a Counter Pro-

# Special Dispatch to the Intelligencer.

Special Dispatch to the intelligencer.

CHARLESTON, W. Va., Jan. 5.—It is understood that the Republican leaders and the Democratic leaders have been conferring for several days about the several contests in the legislature. The Democratic managers have proposed that all the contests before the legislature, including the Getzendanner and Pierson cases, be submitted to the supreme court of appeals, but both parties have not agreed as to the course to be have not agreed as to the course to be followed. In the event of the court be-ing equally divided in its decision the Democrats want the undecided cases to go back to the house or senate according to where they belong. This, Chairman Dawson says, he would not consent to, as the Republicans had pur-sued the law in the Monroe county case, and had notten a judgment from the circuit court declaring Via elected and entitled to a sent in the house of dele-

gates.
"The effect of a tie." Mr. Dawson said, "in the supreme court would be to affirm the decision of the circuit court in the Via case, and I insisted we should have the benefit of the law in that case.

The War Senators.

Chairman Dawson further said: "As to the case of the war senators, the atto the case of the war senators, the attorney general has said he would permit the use of his name in bringing quo warranto proceedings, but I have no doubt the supreme court has no jurisdiction in the case, and would so decide. The Democratic managers admit that they believed my view was correct, but proposed that we consent that the supreme court should hear and determine the matter; but it is a cardinal principle in law that you cannot confer jurisdiction upon a court by consent; to other words, parties cannot confer upon the court what the law does not.

"I suggested to my Democratic friends that probably the best plan of procedure would be for them to apply to the supreme court for a mandamus to compel the secretary of state to place, on the roll of the senate, as appearing to be elected, the names of the two men voted for to fill the alleged vacancies in the senate made by the acceptance of commissions in the army by Senators.

"Agreement Not Necessary.

"While these propositions were pending the Democrats applied for a mandamus in the Taylor county case and this settled in my mind what I had betorney general has said he would per-

dames in the Taylor county case and this settled in my mind what I had before thought of, that an agreement was not necessary; for the Democrats can take into the supreme court any case they please and we will abide by the decision of the court. No party or person could afford to do otherwise. We can take any of these cases to the court without any agreement, so it seems to me that an agreement, so it seems to me that an agreement would be absurdly vain and unnecessory. As I have before stated in any case in which the court had no jurisdiction it could only hear the case uson an agreement, that the judges would simply act as arbitrators. I don't believe that the court would consent to do that."

Chairman Dawson said he would make the proposition that Brohard, of Taylor, Via, of Monroe, and Taibott, of the Lewis district, he scated in the house and that the balance of the other contests, excepting the case of "war senators" be decided by a joint commission of three Democrats and three Republicans, who are to select a seventh member. fere thought of, that an agreement was

# DEATH OF JUDGE GAINES. Hospital at Charleston.

Special Dispatch to the Intelligencer. CHARLESTON, W. Va., Jan. 5.— Judge Ludwell G. Gaines, of Fayette county, was found dead in a chair at the hospital here at 6 o'clock this morning. He had been suffering from asthma for sometime. He came here from Fayette county last evening and went

Fayette county last evening and went immediately to the hospital before he made arrangements for treatment. His presence was not known by any of his friends. He was seen by the nurse at 7 o'clock and he was sitting in his chair at that time, being unable to lie down on account of his disease. At 6 o'clock he was found dead.

Judge Gaines was forty-three years of age, and was born in Clearment county. Ohio. He was a brother to District Attorney Gaines, and also of Mrs. W. C. Lawrence, both of this city. He leaves a wife and a six-year-old son. The Judge was a prominent attorney of Fayette county for years, and after the death of Judge Brazie, was appointed criminal judge of that county, which office he filled with ability until June 1.

Ont of Receiver's Hands.

#### Out of Receiver's Hands. NEW YORK, Jan. 5.-Nearly one-

NEW YORK, Jan. 5.—Nearly one-half of the railreads in the hands of receivers at the beginning of 1858 were taken from the courts during the year, according to the Railread Gazette. On January, 1, 1858, there were 120 companies in the hands of receivers, owning 12,788 miles, or seven per cent of the entire mileage of the country, and operating 16,193 miles, or 9 per cent of the cutive mileage. The highwater mark of receivership was reached in April, 1891, when there were 210 roads, embracing 56,619 miles or 20 per cent of the entire mileage of the country in the hands of the receivers.

# Weather Forecast for To-day.

Weather Porceast for 1994a;
For West Virginia, rain or snow; northencturity winds.
For Western Pennsylvania and Ohio,
threatenthic weather, followed by rain or
snow Priday afternoon or night; fresh Variable winds.

### Local Temperature. The temperature yesterday as observ by C. Schnepf, druggist, corner Mark and Fourteenth streets, was as follows